

**CITY AND COUNTY OF SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

**THIRTEENTH Amendment to Agreement between the City and County of San Francisco
and
HNTB-TSE JV
for Architectural and Engineering Services
for the Final Design and Construction of the
San Francisco Municipal Transportation Agency
Central Subway Project
(Third Street Light Rail Project, Phase 2)**

**Contract No. CS-155-3
Design Package #3**

The City and County of San Francisco ("City"), by and through its Municipal Transportation Agency ("SFMTA") and HNTB-TSE JV ("Consultant" or "Designer"), a joint venture between HNTB Corporation and Transit Systems Engineering, Inc., entered into Contract CS-155-3, dated April 22, 2010 ("the Agreement") for the final design of Surface, Track and Systems for the SFMTA's Central Subway Project for a term of 10 years and a contract amount of \$32,294,319.

The Agreement has been amended twelve times previously, to extend the term of the Agreement to June 30, 2023 and to increase the contract amount to \$34,857,691.

This Thirteenth Amendment to the Agreement will extend the Term of the Agreement one year and will increase the not-to-exceed Contract Amount an additional \$1,000,000, so that Consultant may perform Additional Services necessary for the design and completion of the Central Subway Project, as requested by the SFMTA.

NOW THEREFORE, the Consultant and the SFMTA agree to modify the Agreement, as follows:

A. AMENDMENT

1. Section 1.3 (Term) is amended to extend the Term of the Contract by One Year to July 1, 2024. Section 1.3 is deleted in its entirety and replaced with the following:

1.3 Term. This Agreement shall be in effect upon final approval by the Parties and shall continue for a period of Thirteen (13) Years and Sixty-Three days, expiring on July 1, 2024, unless extended by the SFMTA Board's exercise of an option to extend the Agreement one additional year, or unless sooner terminated in accordance with the Agreement.

2. Section 13.3.1 (Total Amount) is amended to increase the Contract Amount \$1,000,000 for a total amended Contract Amount not to exceed \$35,857,691. Section 13.3.1 is deleted and replaced in its entirety with the following:

3.3.1 The total amount of compensation under this Agreement for all Work performed by Consultant shall not exceed Thirty-Five Million Eight Hundred Fifty Seven Thousand Six Hundred Ninety-One Dollars (\$35,857,691). The SFMTA shall pay Consultant for authorized Additional Work in accordance with the hourly labor and overhead rates stated in the Agreement,. Consultant is not guaranteed receipt of all or any specific portion of said funds, but shall be paid for the Additional Work requested by the SFMTA, as described in Section B, below.

3. Option to Extend Contract Term and Increase Contract Amount. Subject to the SFMTA Board of Directors' approval, the SFMTA has the option to extend the Term of the Agreement one additional year (to July 1, 2025) and to increase the Contract Amount an additional \$1,000,000 for a total Contract Amount not to exceed \$36,857,691 compensate Consultant for Additional Work to be performed during said extension period.

B. Description of Additional Work

As directed by the SFMTA, Consultant shall perform additional extended design and construction support services and tasks as Additional Work to support the close-out of SFMTA Contract 1300 (for construction of trackways, stations and systems) and to support follow-on construction contracts necessary to complete Central Subway fixed guideway and stations improvements, which include the following work:

Task A-16 Design Services During Construction

1. Designs and Design Team Support
2. Responses to Requests for Information
3. Submittals Review
4. Construction Phase Project Management and Administration
5. Field Visits/Meetings
6. Review and Drafting of Change Proposals / Value Engineering Analyses

C. Summary Of Amendment

Total Amount of this Thirteenth Amendment:	\$ 1,000,000
Previous Total Contract Amount:	\$ 34,857,691
New Revised Total Contract Amount:	\$ 35,857,691
Total Contract Time added by this Contract Modification:	366 Days
Previous Contract Completion Date:	June 30, 2023
New Revised Contract Completion Date:	July 1, 2024

D. Effective Date

This Thirteenth Amendment to the Agreement shall be effective on June 30, 2023.

E. No Other Changes To The Agreement

Except as expressly stated in this Amendment, all other terms and conditions of the Agreement remain unchanged. .

Signatures on following page.

In Witness Whereof, the parties have executed this Modification in San Francisco, California as of this _____ day of _____, 2023.

CITY	CONSULTANT
Recommended:	Approved:
By: _____ Nadeem S. Tahir, P.E. Program Director SFMTA	By: <u>Jeff Watson</u> Jeff Watson HNTB Corporation HNTB-TSE JV
Approved:	
By: _____ Jeffrey Tumlin Director of Transportation SFMTA	
Approved as to form:	
David Chiu City Attorney	
By: _____ Robert K. Stone Deputy City Attorney	
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